

Information to identify the case:

Debtor 1 Jose Agosto

First Name Middle Name Last Name

Debtor 2 (Spouse, if filing) _____

First Name Middle Name Last Name

United States Bankruptcy Court **Eastern District of New York**

Case number: **1-18-45875-ess**

Social Security number or ITIN **xxx-xx-9428**

EIN ---

Social Security number or ITIN _____

EIN ---

Date case filed for chapter **13 10/11/18**

Official Form 309I**Notice of Chapter 13 Bankruptcy Case**

Revised: 12/17

For the debtor(s) listed above, a case has been filed under Chapter 13 of the Bankruptcy Code. An order for relief has been entered. This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read both pages carefully.

To help creditors correctly identify debtors, debtors submit full Social Security or Individual Taxpayer Identification Numbers, which may appear on a version of this notice. However, the full numbers must not appear on any document filed with the court. Do not include more than the last four digits of a Social Security or Individual Taxpayer Identification Number in any document, including attachments, that you file with the court.

	About Debtor 1:	About Debtor 2:
1. Debtor's Full Name	Jose Agosto	
2. All other names used in the last 8 years		
3. Address	288 Hemlock Street Brooklyn, NY 11208	
4. Debtor's Attorney Name and address	Jose Agosto 288 Hemlock Street Brooklyn, NY 11208	Contact Phone _____ Email: <u>NONE</u>
5. Bankruptcy Trustee Name and address	Marianne DeRosa Standing Chapter 13 Trustee 125 Jericho Tpke Suite 105 Jericho, NY 11753	Contact Phone (516) 622-1340 Email: <u>Derosa@ch13mdr.com</u>
6. Meeting of Creditors	November 7, 2018 at 09:30 AM	Location: 271-C Cadman Plaza East, Room 2579 – 2nd Floor, Brooklyn, NY 11201-1800
7. Hearing on Confirmation of Plan	The debtor has or will file a plan. The hearing on confirmation will be held: Date: 12/17/18 , Time: 09:00 AM , Location: United States Bankruptcy Court, 271-C Cadman Plaza East, Courtroom 3585 – 3rd Floor, Brooklyn, NY 11201-1800	
8. Deadlines The Bankruptcy Clerk's Office must receive these documents and any required filing fee by the following deadlines.	Deadline to Object to Discharge or to Challenge Dischargeability of Certain Debts: You must file: <ul style="list-style-type: none"> a motion if you assert that the debtors are not entitled to receive a discharge under U.S.C. § 1328(f) or a complaint if you want to have a particular debt excepted from discharge under 11 U.S.C. § 523(a)(2) or (4). 	Filing Deadline: 1/7/19
	Deadline for holder(s) of a claim secured by a security interest in the debtor(s)' principal residence (Rule 3002(c)(7)(A)):	Filing Deadline: 12/20/2018
	Deadline for all creditors to file a Proof of Claim (except governmental units and holder(s) of a claim that is secured by a security interest in the debtor(s)' principal residence):	Filing Deadline: 12/20/2018
	Deadline for governmental units to file a Proof of Claim (except as otherwise provided in Fed. R. Bankr. P. 3002(c)(1)):	Filing Deadline: 4/9/19
	Deadline to Object to Exemptions: The law permits debtors to keep certain property as exempt. If you believe that the law does not authorize an exemption claimed, you may file an objection.	Filing Deadline: 30 days after the conclusion of the meeting of creditors
9. Bankruptcy Clerk's Office Documents in this case may be filed at this address. You may inspect all records filed in this case at this office or online at www.pacer.gov .	Address of the Bankruptcy Clerk's Office: 271-C Cadman Plaza East, Suite 1595 Brooklyn, NY 11201-1800 Clerk of the Bankruptcy Court: Robert A. Gavin, Jr.	Hours Open: Monday – Friday 9:00 AM – 4:30 PM Contact Phone (347) 394-1700 Date: 10/12/18

For more information, see page 2

Debtor **Jose Agosto**Case number **1-18-45875-ess**

10. Claims	<p>A Proof of Claim is a signed statement describing a creditor's claim. A Proof of Claim form "Official Form 410" may be obtained at www.uscourts.gov or any Bankruptcy Clerk's Office. If you do not file a Proof of Claim by the deadline, you might not be paid on your claim from other assets in the bankruptcy case. To be paid, you must file a proof of claim even if your claim is listed in the schedules that the debtor filed. Secured creditors retain rights in their collateral regardless of whether they file a Proof of Claim. Filing a Proof of Claim submits the creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a Proof of Claim may surrender important nonmonetary rights, including the right to a jury trial.</p> <p>Filing Deadline for a Creditor with a Foreign Address: The deadlines for filing claims set forth on the front of this notice apply to all creditors. If this notice has been mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline.</p> <p>Do not include this notice with any filing you make with the court.</p>
11. Legal Advice	The staff of the Bankruptcy Clerk's Office cannot give legal advice. To protect your rights, consult an attorney.
12. Creditors May Not Take Certain Actions	The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtors or the debtors' property. For example, while the stay is in effect, creditors cannot sue, garnish wages, assert a deficiency, repossess property, or otherwise try to collect from the debtors. Creditors cannot demand repayment from debtors by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although debtors can ask the court to extend or impose a stay.
13. Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. Debtors must attend the meeting to be questioned under oath by the trustee and by creditors. In a joint case, both spouses must attend. Creditors may attend, but are not required to do so. The meeting may be continued and concluded at a later date specified in a notice filed with the court.
14. Filing a Chapter 13 Bankruptcy Case	A bankruptcy case under Chapter 13 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by the debtor(s) listed on the front side, and an order for relief has been entered. Chapter 13 allows an individual with regular income and debts below a specified amount to adjust debts according to a plan. A plan is not effective unless the court confirms it. You may object to confirmation of the plan and appear at the confirmation hearing. A copy of the plan, if not enclosed, will be sent to you later, and if the confirmation hearing is not indicated on this notice, you will be sent notice of the confirmation hearing. The debtor will remain in possession of the property and may continue to operate the business, if any, unless the court orders otherwise.
15. Creditors with a Foreign Address	If you are a creditor receiving a notice mailed to a foreign address, you may file a motion asking the court to extend the deadline in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.
16. Exempt Property	The law allows debtors to keep certain property as exempt. Fully exempt property will not be sold and distributed to creditors, even if the case is converted to chapter 7. Debtors must file a list of property claimed as exempt. You may inspect that list at the Bankruptcy Clerk's Office or online at www.pacer.gov . If you believe that the law does not authorize an exemption that debtors claimed, you may file an objection by the deadline to object to exemption in line 8 on the front side.
17. Discharge of Debts	Confirmation of a Chapter 13 plan may result in a discharge of debts, which may include all or part of a debt. However, unless the court orders otherwise, the debts will not be discharged until all payments under the plan are made. A discharge means that creditors may never try to collect the debt from the debtors personally except as provided in the plan. If you want to have a particular debt excepted from discharge under 11 U.S.C. § 523(a)(2) or (4), you must file a complaint and pay the filing fee in the bankruptcy clerk's office by the deadline. If you believe that the debtors are not entitled to a discharge of any of their debts under 11 U.S.C. § 1328(f), you must file a motion objecting to Debtor's Discharge. The Bankruptcy Clerk's Office must receive the objection by the deadline to object to exemptions in line 8.
18. Option to Receive Notices Served by the Clerk by Email Instead of by U.S. Mail	<p>1) The Electronic Bankruptcy Noticing (EBN) Program is open to all parties. You can register for EBN at the BNC website https://bankruptcynotices.uscourts.gov/, or</p> <p>2) Debtors can register for DeBN by filing local form "Debtor's Electronic Bankruptcy Notice Request" with the Clerk of Court. Both options are FREE and allow the Clerk to quickly send you court-issued notices and orders by email.</p>
19. Undeliverable Notices	Undeliverable notices will be sent by return mail to the debtor. It is the debtor's responsibility to obtain the parties correct address, resend the returned notice, and notify this office of the parties change of address. Failure to provide all parties with a copy of the notice may adversely affect the debtor as provided by the Bankruptcy Court.
20. Form 121 Statement of Social Security #	The debtor or debtor's attorney is required to bring a paper copy of the petition with full social security number displayed to the first meeting of creditors.
21. Personal Financial Management Course	In order to receive a discharge, the debtor must complete a Personal Financial Management Course and must file a Certification About a Financial Management Course (Official Form 423) no later than the last payment under the plan or upon the entry of a motion for a hardship discharge. If the Certification About a Financial Management Course is not filed within the allotted time, a discharge will not be issued and the case will be closed.
22. Hearing on Confirmation of the Plan; Dismissal of Case	The hearing on confirmation of the plan may be adjourned at the meeting of creditors without further notice. The Court, on motion heard at the confirmation hearing, may dismiss the case or convert it to one under Chapter 7 if the debtor fails to timely file a plan or other required papers, fails to make a required preconfirmation payment, or fails to appear at the meeting of creditors or confirmation hearing. The Court, on motion heard at the confirmation hearing, may also dismiss the case or convert it to one under Chapter 7 if confirmation of the plan is denied.